

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Reform the Commission's
Energy Efficiency Risk/Reward Incentive Mechanism

Rulemaking 12-01-005
(Filed January 12, 2012)

NOTICE OF EX PARTE COMMUNICATION

May 28, 2013

Devra Wang
Natural Resources Defense Council
111 Sutter Street, 20th Floor
San Francisco, CA 94104
415-875-6100
dwang@nrdc.org

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Pursuant to Rule 8.2, 8.3, and 8.5 of the California Public Utilities Commission's Rules of Practice and Procedure, the Natural Resources Defense Council (NRDC) hereby gives notice of the following ex parte communication. NRDC initiated the communication, which occurred at the California Public Utilities Commission (CPUC) on Friday, May 24, 2013. Devra Wang, Director, California Energy Program, Peter Miller, Senior Scientist, and Lara Ettenson, Director, California Energy Efficiency Policy at NRDC met with Michael Colvin, advisor to Commissioner Ferron for approximately twenty minutes at 1:45 pm. No written materials were used.

Ms. Wang expressed appreciation for the Assigned Commissioner Ruling's (ACR) thoughtful efficiency incentive proposal, which is moving in the right direction overall. She highlighted two key recommendations for improvements to the ACR's proposal: (i) to use ex-ante EM&V estimates for 2013-14 (instead of making retroactive adjustments using ex-post results) to allow the Commission and all parties to focus their time and resources on the higher priority endeavor of establishing an improved EM&V process to regularly update estimates, including a forum for technical experts to vet EM&V issues in a transparent, public process, and (ii) to encourage utilities to maximize *savings* from codes and standards efforts as an integral part of the market transformation cycle (rather than simply encouraging them to spend money on the activity).

Dated: May 28, 2013

Respectfully submitted,



Devra Wang
Director, California Energy Program